

REMARKS

Claims 21-49 are pending. Claims 21-30 and 32 are cancelled, without prejudice. Claim 31 is amended. Claims 50-52 are new. Support for new claims 50-52 amendment can be found, e.g., on page 46, lines 11-15, of the specification.

Applicants believe that no new matter is added by way of amendment.

I. Information Disclosure Statement

The Examiner noted that several of the references included in the Information Disclosure Statement form were not available in the parent application. Courtesy copies will be provided to the Examiner shortly.

II. Objections to the Claim 32.

The Examiner objected to 32 as being dependent on a rejected base claim. Claim 32 is canceled and the objection is therefore moot as to this claim. Claim 31 is amended to incorporate the subject matter of now canceled claim 32. In view of the foregoing amendment, Applicants respectfully request withdrawal of the objection to Claim 32.

III. Rejections of Claims 31 and 33-49 under 35 U.S.C. §102(e).

The Examiner rejected Claims 31 and 33-49 under 35 U.S.C. §102(e) on the basis that the claimed invention is anticipated by Chang US Patent No. 5,741,772 ('772 patent). Claim 31 is amended to incorporate the subject matter of claim 32. The Examiner noted that claim 32 was allowable if amended to not depend from a rejected base claim. The '772 patent does not describe an antibody that binds to a complex of both SEQ ID NO: 2 and SEQ ID NO: 12. Thus the '772 patent fails to anticipate the claimed invention described in claim 31 and 33-52.

In view of the foregoing, Applicants submit that the rejection of Claims 31 and 33-49 under 35 U.S.C. §102(e), is overcome, and new Claims 50-52 are free from this rejection. Withdrawal of this rejection is respectfully requested.

Conclusion

Applicants' current response is believed to be a complete reply to all the outstanding issues of the latest Office action. Further, the present response is a bona fide effort to place the application in condition for allowance or in better form for appeal. Accordingly, Applicants respectfully request reconsideration and passage of the amended claims to allowance at the earliest possible convenience.

Applicant believes that no additional fees are due with this communication. Should this not be the case, the Commissioner is hereby authorized to debit any charges or refund any overpayments to DNAX Deposit Account No. 04-1239.

If the Examiner believes that a telephonic conference would aid the prosecution of this case in any way, please call the undersigned.

Respectfully submitted,

Date: 2 July 2007

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